

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: 3732
Barbara Stachowski)	Examiner: Robyn Kieu Doan
Serial No.: 09/742,871)	PETITION UNDER 37 C.F.R. § 1.181
Filed: December 20, 2000)	AND 35 U.S.C. §122(b)(2)(B)(iii) FOR
For: SYSTEM FOR STYLING HAIR)	ACCEPTANCE OF LATE
)	WITHDRAWAL OF REQUEST FOR
)	<u>NON-PUBLICATION</u>
)	
)	162 N. Wolfe Road
)	Sunnyvale, California 94086
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Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants hereby petition under 37 C.F.R. § 1.181 AND 35 U.S.C. §122(b)(2)(B)(iii) for acceptance of late withdrawal of request for non-publication. It was unintentional that this recession of previous non-publication request and notification of foreign filing was filed late. A petition fee under 37 C.F.R. § 1.17(m) of \$650.00 is also enclosed.

Following the introduction of the rules providing for publication of U.S. patent applications, the law firm of Haverstock & Owens LLP instituted two new procedures for docketing entries to prevent an application from being filed in a foreign jurisdiction which automatically publishes while leaving a request for non-publication. First, a docket entry is automatically calendared when a PCT application is filed to check the U.S. parent case and determine whether a request for non-publication was lodged, and if so, to withdraw such request and provide notice of foreign filing. Second, when a U.S. patent application is filed a docket entry is automatically calendared for twelve months from the filing, to remind the responsible attorney at the foreign filing deadline to check whether a foreign application was filed and determine whether a request for non-publication needed to be withdrawn.

A foreign application claiming priority from the application no. 09/742,871 was filed on February 05, 2001. Applicant's Agent inadvertently failed to timely file a recession of previous non-publication request under 35 U.S.C. 122(b)(2)(B)(ii) and Notice of Foreign Filing under 35 U.S.C. 122(b)(2)(B)(iii) due to a clerical error. Upon discovering the mistake, I immediately prepared this petition. The entire delay in filing the recession of previous non-publication request and notice of foreign filing was unintentional.

Respectfully submitted,
HAVERSTOCK, & OWENS LLP

Dated: 5/30/2003

By: _____

James A. Gavney
Reg. No. 45,487

Agent for Applicant

CERTIFICATE OF MAILING (37 CFR § 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 5-30-03 By: [Signature]